

Notice of Allowability

Application No.

10/813,262

Examiner

Bernard Rojas

Applicant(s)

BESIO ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to The amendment filed 05/22/2006.
2. ☒ The allowed claim(s) is/are 1-23,39-44,48 and 49.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

Election/Restrictions

Claim 1 is allowable. The restriction requirement among species, as set forth in the Office action mailed on 08/09/2005, has been reconsidered in view of the allowability of claims to the elected invention pursuant to MPEP § 821.04(a). **The restriction requirement is hereby withdrawn as to any claim that requires all the limitations of an allowable claim.** Previously withdrawn claims 8, 9, 11-23, 40 and 41 directed toward other species are hereby rejoined.

In view of the above noted withdrawal of the restriction requirement, applicant is advised that if any claim(s) presented in a continuation or divisional application include all the limitations of a claim that is allowable in the present application, such claims may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Once a restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

Allowable Subject Matter

Claims 1-23, 39-44, 48 and 49 are allowed.

The following is an examiner's statement of reasons for allowance:

Claim 1, the prior art of record does not teach nor suggest, in the claimed combination, a magnet structure of a Nuclear Magnetic Resonance imaging apparatus comprising at least one layer of magnetically permeable material comprising a pack of

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superimposed sheets or foils, electrically insulated from each other, each sheet having cuts arranged over the surface of the sheet in positions that are at least partly non-coincident with the cuts of at least one, or both adjacent sheets, and wherein each of the magnetically permeable sheets or foils comprises: a first face; and a second face; and wherein the cuts arranged over the surface of the sheet or foil have a width and length and are so arranged on each sheet, that the cuts of a sheet or foil are offset and not coincident with respect to the cuts of an adjacent sheet or foil, when the adjacent sheet is laid over the previous sheet in an overturned position, with the first face turned toward the first face of the first sheet or with the second face of said adjacent sheet turned toward the second face of the first sheet regardless of the relative angular orientation of the sheets with respect to each other.

Claim 2, the prior art of record does not teach nor suggest, in the claimed combination, a magnet structure of a Nuclear Magnetic Resonance imaging apparatus comprising at least one layer of magnetically permeable material comprising a pack of superimposed sheets or foils, electrically insulated from each other, each sheet having cuts arranged over the surface of the sheet in positions that are at least partly non-coincident with the cuts of at least one, or both adjacent sheets, and wherein each of the magnetically permeable sheets or foils comprises: a first face; and a second face; and wherein the cuts arranged over the surface of the sheet or foil have a width and length and are so arranged on each sheet, that the cuts of a sheet or foil are offset and not coincident with respect to the cuts of an adjacent sheet or foil, when the adjacent sheet is laid over the previous sheet in an overturned position, with the first face turned

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toward the first face of the first sheet or with the second face of said adjacent sheet turned toward the second face of the first sheet; wherein each sheet is divided into two halves along an axis parallel to or coincident with a sheet overturning axis, about which each successive sheet is identical for each sheet and which pattern has the same position on each sheet in such a way that superimposing the sheets for forming a pack of sheets, the centering holes are coincident.

Claim 48, the prior art of record does not teach nor suggest, in the claimed combination, a magnet structure of a Nuclear Magnetic Resonance imaging apparatus comprising at least one layer of magnetically permeable material comprising a pack of superimposed sheets or foils, electrically insulated from each other, each sheet having cuts arranged over the surface of the sheet in positions that are at least partly non-coincident with the cuts of at least one, or both adjacent sheets wherein the cuts are arranged over the surface of the sheet or foil and have a width and length and are so arranged on each sheet, so that the cuts of a sheet or foil are offset and not coincident with respect to the cuts of an adjacent sheet or foil, when the adjacent sheet is laid over the previous sheet in an overturned position, with the first face turned toward the first face of the first sheet or with the second face of said adjacent sheet turned toward the second face of the first sheet.

Claim 49, the prior art of record does not teach nor suggest, in the claimed combination, a magnet structure of a Nuclear Magnetic Resonance imaging apparatus comprising at least one layer of magnetically permeable material comprising a pack of superimposed sheets or foils, electrically insulated from each other, each sheet having

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cuts arranged over the surface of the sheet in positions that are at least partly non-coincident with the cuts of at least one, or both adjacent sheets wherein the cuts are arranged over the surface of the sheet or foil and have a width and length and are so arranged on each sheet, so that the cuts of a sheet or foil are offset and not coincident with respect to the cuts of an adjacent sheet or foil, when the adjacent sheet is laid over the previous sheet in an overturned position, with the first face turned toward the first face of the first sheet or with the second face of said adjacent sheet turned toward the second face of the first sheet and at least two of the sheets or foils are substantially identical to each other and are arranged next to each other with the first face of one sheet or foil turned toward the first face of the adjacent sheet or foil or with the second face of said adjacent sheet turned toward the second face of the first sheet.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

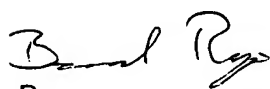
Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bernard Rojas whose telephone number is (571) 272-1998. The examiner can normally be reached on M-F 8-4:00, every other Friday off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin G. Enad can be reached on (571) 272-1990. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Br


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SUPERVISORY PATENT EXAMINER
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